

first country which the applicant arrives in outside his country of origin.

In July of 1993, Germany overhauled their asylum law, effectively reducing their monthly asylum application load from 37,000, after an explosion of asylum applications that increased from 20,000 in 1983 to 438,000 a decade later. Germany's asylum laws also include a "country of safe haven" provision making certain asylum applicants ineligible.

It's time the United States follow the lead of the European Community and adopt the "first safe haven" approach. By doing so, we would eliminate the incentive for aliens to "nation shop," looking around for the country they believe offers them the best opportunity for economic prosperity, not political freedom.

In order to ensure that those with legitimate claims for asylum are protected and find a safe haven, my bill provides added protection for legitimate asylum seekers. Under special circumstances, it allows them to stay in the United States awaiting a hearing. An alien who returned to the first country they passed through which could offer a safe haven, but was denied entry, would be allowed to remain in the United States pending a hearing. In addition, if an individual can demonstrate that being returned to the first country of safe haven could subject him to further persecution, he too would be allowed to stay. But the bill attaches a significant condition to asylum-seekers who are returned to the United States—one that further discourages abuse of the system. While they are in the United States awaiting a hearing on whether they can stay here legally, they must be held in a detention facility.

This fall Congress is expected to take up the issue of immigration reform. In the coming weeks, I will work to make sure this new approach to granting political asylum is included in the immigration reform package to be considered by the House.

The United States is a Nation of immigrants. We should continue to embrace people of different races and cultures who want to make America their new home. Their presence enriches our culture and makes our nation a very special place.

America should continue to be the land of opportunity for legal immigrants but not for those who take advantage of our generosity and our compassion to enter the country illegally. I urge my colleagues to cosponsor my legislation.

#### THE CONGRESSIONAL ASSAULT ON TRIBAL SOVEREIGNTY

**HON. BILL RICHARDSON**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, August 3, 1995*

Mr. RICHARDSON. Mr. Speaker, I share the grave concerns of my colleagues and the more than 550 American Indian and Alaska Native tribes of this Nation regarding the unprecedented budgetary cuts and assaults on tribal sovereignty currently underway in the 104th Congress. As the former chairman of the House Subcommittee on Native American Affairs, I find it especially difficult to watch as this body attempts to undermine the hard fought victories that Indian tribes have won in the past 30 years.

It is hard to understate the enormity of the cuts in this year's appropriations bills. For instance, the House Interior appropriations bill cuts BIA and Department of Education funding for Indian education by \$61 million, eliminates important scholarships and adult education, and restricts funding of self-determination contracts and self-governance compacts. The Interior bill fails to include enough funding for the Indian Health Service to maintain its current level of services. And, the House Interior report penalizes tribal self-determination and economic growth by requiring the Secretary of the Interior to prepare a means testing report on Indian tribes who conduct gaming operations.

The Commerce, Justice appropriations bill eliminates the line-item for Indian legal services. The Agriculture appropriations bill calls for the termination of the commodities program. The VA-HUD appropriations bill cuts funding for new Indian housing by two-thirds. The Labor-HHS appropriations bill eliminates additional Indian education funding, funding for the protection of tribal elders, reduces meals for tribal elders by \$845,000, and eliminates the low-income heating assistance program. In addition, the Labor-HHS bill would put sharp curbs on the amount of political or legal advocacy that tribal governments or organizations could undertake at the Federal level.

The tribal outcry that has arisen because of these actions and others should tell us that we need to seriously examine and rethink our relationship with Indian country. In order to do so, we must:

Recognize that tribes are sovereign entities and not merely another set of minority or special interest groups.

Acknowledge our moral and legal responsibility to protect and aid Indian tribes.

Adhere to a set of principles that will enable us to deal fairly and honestly with Indian tribes.

From the founding of this Nation, Indian tribes have been recognized as distinct independent, political communities exercising the powers of self-government, not by virtue of any delegation of powers from the Federal Government, but rather by virtue of their own inherent sovereignty. The tribes' sovereignty pre-dates the Constitution and forms the backdrop against which the United States has entered into relations with the Indian tribes.

The United States also has a moral and legal trust responsibility to Indian tribes. Since the founding of the country, the U.S. has promised to uphold the rights of Indian tribes, and serve as the trustee of Indian lands and resources. The U.S. has vowed, through treaties such as the 1868 Navajo treaty, that Indians would be housed, educated, and afforded decent health care. We have failed on nearly every count.

Perhaps we need to look to the past in order for us to understand our proper relationship with Indian tribes. More than two centuries ago, Congress set forth what should be our guiding principles. In 1789, Congress passed the Northwest Ordinance, a set of seven articles intended to govern the addition of new States to the Union. These articles served as a compact between the people and the States, and were to forever remain unalterable, unless by common consent. Article three set forth the Nation's policy towards Indian tribes:

The utmost good faith shall always be observed towards the Indians; their land and

property shall never be taken away from them without their consent \* \* \* but laws founded in justice and humanity shall from time to time be made, for preventing wrongs to them \* \* \* ."

Each of us should memorize these words. Our forefathers carefully and wisely chose these principles to govern the conduct of Congress in its dealing with American Indian tribes. Over the years, but especially in this Congress, we have strayed from these principles—the principles of good faith, consent, justice and humanity. It is time for us to return to and remain faithful to these principles.

#### U.S.S. INDIANAPOLIS MEMORIAL

**HON. ANDREW JACOBS, JR.**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Friday, August 4, 1995*

Mr. JACOBS. Mr. Speaker, all Americans will be grateful to the Congress and to the President for adopting last year the following resolution commanding the noble service to our country rendered by the U.S.S. *Indianapolis* and its crew. The death of the *Indianapolis* and very many of its hands represents one of the more poignant tragedies of World War II inasmuch as it all happened shortly before the end of hostilities with Japan.

At long last a suitable monument has been erected in the city of Indianapolis. The monument was dedicated on the second day of August of this year. In addition to the resolution itself which follows, I insert a story from the *Indianapolis News* and a story from the *Indianapolis Star* about this touching occasion.

Special tribute should be paid to Patrick J. Finneran, Capt. James Holds, USN retired, Dr. Giles G. McCoy and Robert H. McKinney, who together with other pillars in the Indianapolis community, worked tirelessly and lovingly to bring all of this well deserved remembrance about.

THE CONGRESS OF THE UNITED STATES OF AMERICA, THE 103d CONGRESS ASSEMBLED, LAW No. 103-337

SEC. 1052 U.S.S. *Indianapolis* (CA-35) For gallantry, sacrifice and a decisive mission to end world war II.

1. The U.S.S. *Indianapolis* served the people of the United States with valor and distinction throughout World War II in action against enemy forces in the Pacific Theater of Operations from 7 December 1941 to 29 July 1945.

2. The fast and powerful heavy cruiser with its courageous and capable crew, compiled an impressive combat record during her victorious forays across the battle-torn reaches of the Pacific, receiving in the process ten hard-earned Battle Stars from the Aleutians to Okinawa.

3. This mighty ship repeatedly proved herself a swift hard-hitting weapon of our Pacific Fleet, rendering invaluable service in anti-shipping, shore bombardments, anti-air and invasion support roles, and serving with honor and great distinction as Fifth Fleet Flagship under Admiral Raymond Spruance, USN, and Third Fleet Flagship under Admiral William F. Halsey, USN.

4. This gallant ship, owing to her superior speed and record of accomplishment, transported the world's first operational atomic bomb to the Island of Tinian, accomplishing her mission at a record average speed of 29 knots.

5. Following the accomplishment of her mission, the *Indianapolis* departed Tinian for